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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/042,463	01/08/2002	Gerard De Haan	NL010005	4157	
24737 75	590 01/12/2005		EXAMINER		
PHILIPS INTELLECTUAL PROPERTY & STANDARDS			PHILIPPE, GIMS S		
P.O. BOX 3001					
BRIARCLIFF MANOR, NY 10510			ART UNIT	PAPER NUMBER	
			2613		
			DATE MAILED: 01/12/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

		Applic	ation No.	Applicant(s)				
Office Action Summary		10/04	2,463	DE HAAN ET AL.	DE HAAN ET AL.			
		Exami	ner	Art Unit				
		Gims	S Philippe	2613				
Period fo	The MAILING DATE of this commun or Reply	ication appears on	the cover sheet v	vith the correspondence ac	idress			
THE - Exte after - If the - If NO - Failt Any	ORTENED STATUTORY PERIOD FOR MAILING DATE OF THIS COMMUNI INSIGNS of time may be available under the provisions SIX (6) MONTHS from the mailing date of this common period for reply specified above is less than thirty (3) period for reply is specified above, the maximum state to reply within the set or extended period for reply reply received by the Office later than three months are dipatent term adjustment. See 37 CFR 1.704(b).	CATION. of 37 CFR 1.136(a). In n lunication. D) days, a reply within the atutory period will apply al will, by statute, cause the	o event, however, may a statutory minimum of th nd will expire SIX (6) MC application to become A	reply be timely filed  irty (30) days will be considered time  NTHS from the mailing date of this of the constant of the cons				
Status								
1)	Responsive to communication(s) file	d on						
2a)		 2b)⊠ This action i	is non-final.					
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposit	ion of Claims							
5)□ 6)⊠	Claim(s) 1-13 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  Claim(s) is/are allowed.  Claim(s) 1-13 is/are rejected.  Claim(s) is/are objected to.							
Applicat Applicat	ion Papers							
9)	The specification is objected to by the	e Examiner.						
10)	☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.							
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
11)	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority (	ınder 35 U.S.C. § 119							
a)	Acknowledgment is made of a claim  All . b) Some * c) None of:  1. Certified copies of the priority  2. Certified copies of the priority  3. Copies of the certified copies of application from the Internations of the attached detailed Office actions.	documents have to documents have to for the priority documental Bureau (PCT I	peen received. peen received in uments have bee Rule 17.2(a)).	Application No n received in this National	Stage			
Attachmen	t(s)							
1) 🛭 Notic	e of References Cited (PTO-892)			Summary (PTO-413)				
3) 🛛 Infori	e of Draftsperson's Patent Drawing Review (P mation Disclosure Statement(s) (PTO-1449 or r No(s)/Mail Date			(s)/Mail Date Informal Patent Application (PTo 	O-152)			

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## **DETAILED ACTION**

This is a first action in response to application no. 10/042,463 filed on January 8<sup>th</sup> 2002 in which claims 1-13 are presented for examination.

## Abstract

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because it is not written in a single paragraph as required. Correction is required. See MPEP § 608.01(b).

## Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Swartz (US Patent no. 6,580,463).

Regarding claims 1-2 and 12, Swartz discloses the same method to detect a picture repetition mode of film material comprising a series of consecutive fields (See col. 1, lines 43-52), the method comprising the following steps of establishing a motion parameter pattern for said film material (See col. 12, lines 60-67, col.13, lines 1-6), comparing said pattern with a number of predetermined motion parameter pattern (See col. 12, lines 35-42), determining said picture repetition mode using the result of the preceding step, characterized in that, said method includes the following steps of identifying a plurality of different objects within said consecutive fields (See col. 13, lines 9-31), an object being defined as an image portion of said consecutive fields that can be described with a single motion model (See col.1, lines 42-52), establishing a motion parameter pattern for each one of said objects within said consecutive fields (See col.

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12, lines 60-67, col.13, lines 1-6, col. 7, lines 44-67), comparing said motion parameter pattern with a number of predetermined motion parameter patterns, determining said picture repetition mode for each one of said objects using the result of the preceding step (See col. 12, lines 20-47, and col. 13, lines 8-31).

As per claim 3, Swartz further discloses object identification by using a motion estimation technique (See col. 8, lines 53-67, and col. 9, lines 1-13).

As per claim 7, Swartz further provides the same arrangement wherein the predetermined motion parameter patterns relate to a 3-2 pull down mode (See col. 7, lines 44-59).

As per claim 4, Swartz further provides a plurality of motion model parameters estimators (See col. 15, lines 29-35).

As per claims 5-6, Swartz discloses segmentation and data reduction in col. 18, lines 38-46.

As per claim 8, Swartz further discloses a film processing carrying out a film material processing step (See col. 8, lines 1-17).

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As per claim 9, Swartz further discloses a film processing arranged to carry out picture rate conversion (See col. 15, lines 38-67 and col. 16, lines 1-5).

As per claims 10-11, providing a chip with the arrangement to perform the processing is considered as an inherent feature in Swartz's.

As per claim 13, the computer program product is inherent in Swartz's arrangement (See col. 14, lines 61-67, col. 15, lines 1-5).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Faroudja et al. (US Patent no. 6222589) teaches displaying video on high-resolution computer-type monitors substantially without motion discontinuities.

Faroudja et al. (US Patent no. 5291280) teaches motion detection between even and odd fields with 2:1 interlaced television standard.

Faroudja et al. (US Patent no. 6108041) teaches high-definition television signal for transmitting and receiving a television signal in a manner compatible with the present system.

Faroudja (US Patent no. 6111610) teaches displaying film-originated video on high frame rate monitors without motions discontinuities.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S Philippe whose telephone number is (703) 305-1107. The examiner can normally be reached on M-F (9:30-7:00) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S Kelley can be reached on (703) 305-4780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gims S Philippe Primary Examiner Art Unit 2613

**GSP** 

January 5, 2005